

REMARKS

Claims 1-20 are pending in the application.

Claims 1-20 have been rejected.

Claims 1, 7, 14 and 16 have been amended, as set forth herein.

I. **CLAIM OBJECTIONS**

Claims 1, 7, 14, and 16 were objected to because of the term "P2P". Applicant has amended Claims 1, 7, 14, and 16 consistent with the recommendations of the Examiner and respectfully requests the withdraw of these claim objections.

II. **REJECTION UNDER 35 U.S.C. § 102(b)**

Claims 1, 4, 5, 7, and 14-16 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 6,574,266 B1 to *Haartsen*, hereinafter "Haartsen".

The Applicant respectfully disagrees and traverses the §102(b) rejections. The Applicant directs the Examiner's attention to independent Claim 1, which recites the unique and novel limitations, some of which are emphasized below:

A method to be performed by a UE (user equipment), comprising:
detecting downlink signals of an active cell in which said UE is camping and adjacent cells to said active cell;
judging whether there exists a suitable cell whose link performance is a predefined value higher than that of said active cell for both said UE and an another UE, according to said detecting result;
sending a detection report message to a network system to start a judging procedure of said network system if there exists said suitable cell, and said judging procedure deciding whether said UE and said another UE in P2P (peer to peer) communication can handover into said suitable cell to continue communication in P2P communication mode,

wherein said detection report message comprises a first predefined threshold relating to a lower limit value at which a link satisfies a quality of service requirement and a second threshold relating to a condition in which an adjacent cell may be used as a candidate cell, and wherein said UE and said another UE transmit a detected candidate cell to said network system and said network system determines if a common candidate cell exists in said two candidate cell sets, and upon detection of a common candidate cell, said network system instructs said UE and said another UE to perform a handover.

Amended Claim 1 comprises the element “*wherein said detection report message comprises a first predefined threshold relating to a lower limit value at which a link satisfies a quality of service requirement and a second threshold relating to a condition in which an adjacent cell may be used as a candidate cell, and wherein said UE and said another UE transmit a detected candidate cell to said network system and said network system determines if a common candidate cell exists in said two candidate cell sets, and upon detection of a common candidate cell, said network system instructs said UE and said another UE to perform a handover.*” This element is fully supported by the specification, including paragraphs [0036]-[0040] and is respectfully submitted not to introduce any new matter.

The plurality of thresholds that are disclosed in the present disclosure allow the UE to perform an initial determination of possible candidate cells. This information is forwarded to a

network system that aggregates possible candidate cells from a plurality of UEs. The network system can then identify the UEs that share a common candidate cell and can perform P2P communication. As disclosed in paragraph [0047], these steps are performed on an iterative basis which saves radio resources while ensuring uninterrupted communication between UEs. This approach is respectfully submitted not to be taught, suggested, or anticipated by the prior art of record. Accordingly, the Applicant respectfully submits that Claim 1 is patentable over Haartsen.

Independent Claims 7, 14, and 16 also recite limitations analogous to the novel limitations emphasized above in traversing the rejection of Claim 1 and, therefore, also are patentable over Haartsen. Therefore, the Applicants respectfully submit that independent Claims 1, 7, 14, and 16 are patentable over Haartsen.

III. REJECTIONS UNDER 35 U.S.C. § 103

Claims 2,3,6,8-10,12,13, and 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,574,266 B1 to *Haartsen, et al.*, hereinafter "Haartsen" in view of U.S. Patent No. 6546058 to *Klien Gilhousen et al.*, hereinafter "Klien". Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Haartsen in view of Klien, and further in view of U.S. Patent Publication No. 2003/0144003 to *Ranta, et al.*, hereinafter "Ranta". The rejections are respectfully traversed.

With respect to the rejection of dependent Claims 2-6, 8-13, 15, and 17-20 over Haartsen and Gilhousen, for the same or similar reasons set forth above, and because the cited portions of Gilhousen fails to cure the noted deficiency in Haartsen, these claims are also patentable.

With respect to the rejection of dependent Claim 11 over Gilhousen, Haartsen and Ranta for the same or similar reasons set forth above, and because the cited portion of Ranta et al. fails to cure the noted deficiency in the prior art, this claim is also patentable.

Accordingly, the Applicant respectfully requests withdrawal of the § 103 rejection of these Claims.

IV. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

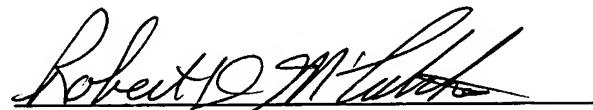
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at rmccutcheon@munckcarter.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, LLP

Date: 3/8/2010



Robert D. McCutcheon
Registration No. 38,717

P.O. Box 802432
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: rmccutcheon@munckcarter.com